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Notice of Allowability	Application No.	Applicant(s)	
	10/714,563	WATT ET AL.	
	Examiner	Art Unit	
	David Y. Jung	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☐ The allowed claim(s) is/are 1-17.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>11/03;4/04;4/06</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Allowable Subject Matter

Claims 1-17 are allowed. The following is an examiner's statement of reasons for allowance: The issue is that of switching security modes via exception vector. The prior art teaches much about the existence of security modes themselves. Furthermore, exception vectors are, of course, well known. Thus, there is no significant issue with regards to enablement requirement under 35 USC 112, 1st Paragraph.

EPO search report (from EPO Examiner del Chiaro, in February, 2004) cited several references. Among them, two references are of particular interest.

WO 01 46800 A (Candelore): This reference teaches security modes with processors. This is typical of prior art.

US 5 734 910 (Corrigan): This reference teaches the existence of switching modes in accordance with interrupts. This is typical of prior art.

At the time of the publication of Candelore and Corrigan (and even today), using exceptions in place of other types of interrupts were discouraged. Exceptions are generated from within the processor. Other interrupts are generated from outside of the processor. Thus, using exceptions in place of other types of interrupts would add load to the processor – especially in an often used feature such as the security. In order to combine the teachings of Candelore and Corrigan to arrive at the claimed invention, one would be required to find a reason that would overcome the typical teaching of the prior art (which generally teaches against using exceptions). Corrigan does not discuss the

issue of exceptions versus interrupts. Thus, the US Patent Office declines to reject the claims under 35 USC 103.

Other prior art does teach modes with exceptions. Some prior art teaches security modes functions in accordance with exception vectors. Nevertheless, the issue is that of switching security modes via exception vectors. This was not taught or suggested by the prior art.

Regarding the claims, the word "processor" is noted as referring to the hardware. This is clear from the reading of the other limitations of the claims (and is consistent with all other portions of the specification). In the context of the other limitations of the claims, such particular switching security modes via exception vectors was not taught or suggested by the prior art. The claims are patentable.

Conclusion

Points of Contact

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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Washington, D.C. 20231

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:

(571) 273-3836 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (571) 272-3836 or Kambiz Zand whose telephone number is (272) 272-3811.

David Jung

Patent Examiner

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6/13/07

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